Remarks

In the three previous office action (the first dated January 13, 2003, the second dated April 23, 2003, and the third dated August 11, 2003), the Examiner rejected some claims, allowed some claims, and objected to some claims indicating that they would be allowable if rewritten in independent form. Relying on the Examiner's office actions, Applicants cancelled and amended claims to put this case in condition for allowance. Each time, the Examiner reneged on his earlier office action by rejecting claims that he previously indicated would be allowed.

Applicants have not cancelled or amended any claims to overcome the Examiner's prior art rejections. Applicants' amendments were made to expedite issuance of the allowed claims while reserving Applicants' rights to pursue the rejected claims in continuation applications. Because the Examiner has rejected claims that he previously indicated would be allowed, Applicants have decided to revive several claims that were previously canceled to expedite allowance.

Applicants add new Claim 67 which is identical to original Claim 13. Applicants also amend Claims 14–17 to depend from new Claim 67 just as they depended from Claim 13 as originally filed. New Claim 67 and dependent Claims 14–17 are identical in substance to originally filed Claims 13–17.

Applicants add new Claim 68 which is identical to original Claim 39. Applicants also amend Claims 40–43 to depend from new Claim 68 just as they depended from Claim 39 as originally filed. New Claim 68 and dependent Claims 40–43 are identical in substance to originally filed Claims 39–43.

Applicants add new Claim 69 which is identical to Claim 52 as originally filed. Applicants also amend Claim 53 to depend from new Claim 69 just as it depended from Claim 52 as originally filed. New Claim 69 and dependent Claim 53 are identical in substance to Claims 52–53 as originally filed.

Applicants add new Claim 70 which is identical to Claim 55 as originally filed. Applicants also amend Claims 56–59 to depend from new Claim 70 just as they depended from Claim 55 as originally filed. New Claim 70 and dependent Claims 56–59 are identical in substance to Claims 55–59 as originally filed.

Applicants add new Claim 71 which is identical to Claim 61 as originally filed. Applicants also amend Claims 62–65 to depend from new Claim 71 just as they depended

from Claim 61 as originally filed. New Claim 71 and dependent Claims 62–65 are identical in substance to Claims 61–65 as originally filed.

This Application has been carefully reviewed in light of the Office Action mailed November 19, 2003. Applicants appreciate the Examiner's consideration of the Application and respectfully request favorable action in this case.

Rejections

The Examiner rejected Claims 16, 17, 42, 43, 58, 59, 64, and 65 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 4,760,572 (*Tomikawa*). The Examiner rejected Claims 11, 24, 26, 37, and 53 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,593,282 (*Acampora*) in view of *Tomikawa*. The Examiner rejected Claims 12, 14, 18, 20, 38, 40, 54, 56, 60, and 62 under 35 U.S.C. § 103(a) as being unpatentable over *Acampora* and *Tomikawa*, further in view of U.S. Patent No. 6,553,000 B1 (*Ganesh*). The Examiner rejected Claims 15, 21, 41, 57, and 63 under 35 U.S.C. § 103(a) as being unpatentable over *Acampora* and *Tomikawa* in view of U.S. Patent No. 5,822,523 (*Rothschild*).

In support of these rejections, the Examiner contends that *Tomikawa* discloses destination codes as claimed in this Application. Specifically, the Examiner states:

> Tomikawa discloses a multicast communication system comprising an information field (destination code) with a plurality of positions and each position corresponding to a station addresses 3a, 3b, and 3d (Fig. 9A col. 10 lines 39–55); and a plurality of receivers 3a–n (Fig. 1 col. 3 lines 46–64), wherein each receiver has an intra-address (received code) and each receiver determine (compare) to see if their intra-addresses are written in an area of the information field (col. 10 lines 56–62). Based on the determination, each receiver decided whether to receive the data packet (Fig. 11 col. 11 lines 10–24).

(Office Action at p. 4; *see also* Office Action at pp. 2–3, 5–7).

Tomikawa describes a multicast communication method that involves sending a prior notice to all stations. In the frame for transmitting the prior notice, the S field is "1" and the DS field is all "0" as shown in Figure 9A. (Col. 10, ll. 25–29). The information field I includes a "text identifier" (which will be used to identify the impending limited multicast message), and "the remaining field thereof is used for designating addresses of a plurality of destination addresses of destination stations for receiving the notice." (Col. 10, ll. 30–36). As indicated in Figure 9A, this field is a string of station addresses. In the example described in

Tomikawa, the stations addresses 3a, 3b, and 3d of stations 3a, 3b, and 3d are written in information field I. (Col. 10, ll. 50–52). All the stations (other than the one sending the notice) receive the notice message and check whether their intra-addresses are written in the station address string following the text identifier of information field I. (Col. 10, ll. 56–59; S46 of Figure 11). Those stations that find their addresses included in the address string determine that the frame is prior notice of a multicast communication destined for themselves, and they hold the text identifier and transmit an acknowledgement response. (Col. 11., ll. 3–16; S48 and S50 in Figure 11). Those stations that do not detect their addresses in the address string determine the frame is not a prior notice for a multicast communication destined for themselves, and they release the message. (Col. 11, ll. 16–24). The sender can then use the frame shown in Figure 9B with the previously noticed text identifier to send a limited multicast message to the destination stations, and the destination stations receive the messages by detecting the previously noticed text identifier as shown in Figure 8B. (Col. 11, ll. 25–44).

Contrary to the Examiner's characterization, *Tomikawa* does not disclose, teach, or suggest a "destination code having values for a plurality of positions, each position corresponding to a particular receiver," as recited in independent Claims 11, 26, 37, 67, 68, 69, 70, and 71. The Examiner identified the information field in Figure 9A as the destination code. (Office Action at p. 4). However, the information field does not include "values for a plurality of positions, each position corresponding to a particular receiver." The information field in *Tomikawa* does not include any bit positions that correspond to receivers. The first positions of the information field is the text identifier, and the following positions of the information field include a string of station addresses. None of these bit positions correspond a particular destination station. Indeed, the information field uses the address of a destination station to notify the station of an impending multicast message. The address, however, may be in any bit position in the string of addresses following the text identifier.

For this reason, none of the references cited by the Examiner discloses, teaches, or suggests the "destination code having values for a plurality of positions, each position corresponding to a particular receiver," as recited in independent Claims 11, 26, 37, 67, 68, 69, 70, and 71. Accordingly, Applicants respectfully request reconsideration and allowance of independent Claims 11, 26, 37, 67, 68, 69, 70, and 71, as well as all claims that depend from these independent claims.

Conclusion

Applicants have made an earnest attempt to place this Application in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Jeffery D. Baxter, Attorney for Applicants, at the Examiner's convenience at (214) 953–6791.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any fee or credit any overpayment to Deposit Account No. 02–0384 of Baker Botts L.L.P.

Respectfully submitted,
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